

UNDERTAKING BY A RESPONSIBLE OFFICER OF AN ORGANISATION

Confidentialised Unit Record File (CURF)

The Australian Bureau of Statistics (ABS) assists and encourages informed decision making by allowing access to detailed ABS data in the form of confidentialised individual statistical records (confidentialised microdata) for statistical research and analysis purposes only.

The ABS makes microdata available to public users in the form of a Confidential Unit Records File (CURF). The release of CURFs to users is enabled by Clause 7 of the *Statistics Determination 1983*.

Organisational access to CURFs

It is a requirement of Clause 7 of the *Statistics Determination 1983* under the *Census and Statistics Act 1905* that, prior to CURF release to an organisation, a Responsible Officer must undertake to ensure that the organisation will abide by the conditions of use of CURFs.

This Undertaking covers all members of the organisation and is required to be re-submitted annually by the Responsible Officer.

Undertaking

The Clause 7 Undertaking is a legally binding agreement. By signing the Undertaking the person (Responsible Officer) takes responsibility:

- for their own conduct, and the conduct of the organisation and all its employees;
- for ensure that the organisation and its employees (including the Responsible Officer) will comply with all of the terms and conditions as specified in the Undertaking; and
- for any legal action and penalties resulting from any breaches to the Undertaking by the organisation or any of its employees (including the Responsible Officer).

Responsible Officer

For the purposes of a Clause 7 Undertaking, a Responsible Officer is:

- For Universities: a Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor or University Registrar.
- For Government Departments: Statutory Head, Secretary of Department, Head of Agency or equivalent, or as agreed with the ABS.
- For private sector organisations: a person who has the same legal responsibility for the actions of the entity as a Department Secretary does for a Government Department. This will usually be someone with the status of CEO, Company Secretary or Managing Director.

Return of completed Undertaking to the ABS

The completed and signed original Undertaking can be returned to the Australian Bureau of Statistics addressed and forwarded to:

The Assistant Director
Microdata Access Strategies Section
Australian Bureau of Statistics
Locked Bag 10
Belconnen, Australian Capital Territory, AUSTRALIA 2616

Alternatively, a copy of the completed and signed undertaking may be emailed to: microdata.access@abs.gov.au
OR: faxed to:

From within Australia: (02) 6252 8132 **From outside Australia:** +61 2 6252 8132

Assistance

For advice on completing this Undertaking or about access to or use of CURFs, please contact:

The Director, ABS Microdata Access Strategies
Email: microdata.access@abs.gov.au
Telephone: (02) 6252 7639 or +61 2 6252 7639

UNDERTAKING BY A RESPONSIBLE OFFICER OF AN ORGANISATION

UNDERTAKING MADE PURSUANT TO CLAUSE 7 OF THE *STATISTICS DETERMINATION 1983 (CTH)*

WHEREAS:

- (A) Subsection 13(1) of the *Census and Statistics Act, 1905* provides for the Minister, by legislative instrument, to make determinations providing for and in relation to the disclosure, with the approval in writing of the Australian Statistician, of information included in a specified class of information furnished pursuant to that Act; and
- (B) Clause 7 of the *Statistics Determination, 1983* permits the Australian Statistician to approve the disclosure of information in the form of individual statistical records if: all identifying information has been removed; the information is disclosed in a manner that is not likely to enable identification of the particular person or organisation to which it relates; and the Australian Statistician has been given a relevant undertaking.

Undertaking by a responsible Officer of an Organisation

NOW, I (Please print)

Title
Mr, Mrs , Ms

Family Name

Given
Name(s)

The duly authorised responsible officer of: (Please print full name of organisation)

Organisation
Name

Position/Title

Division/
Faculty

Telephone
Number ()

Address

Email
Address

UNDERTAKING BY A RESPONSIBLE OFFICER OF AN ORGANISATION

UNDERTAKING MADE PURSUANT TO CLAUSE 7 OF THE *STATISTICS DETERMINATION 1983 (CTH)*

HEREBY UNDERTAKE that:

1. The Organisation will comply with the requirements for access to all Confidentialised Unit Record Files (CURFs) notified by the Australian Bureau of Statistics (ABS) in writing to me from time to time, which will be taken to include, without limitation, by:
 - a. complying with procedures for access notified by the ABS;
 - b. maintaining a register of all individuals within the Organisation who are granted approval by the ABS to access CURFs, and the CURFs which they have been granted approval to access;
 - c. appointing a contact officer who will manage the processes for individuals within the Organisation requesting access to CURFs, and circulate information to individuals within the Organisation who are granted approval by the ABS to access CURFs when requested by the ABS;
 - d. ensuring that each person, prior to access to the information has been notified by the ABS that their individual access to the information has been approved;
 - e. taking steps to ensure that all individuals within the Organisation who are granted access to particular CURFs are aware of their responsibilities, including circulating information on the conditions of use and any specific processes put in place in the Organisation;
 - f. assisting the ABS in any investigation concerning the use of CURFs and possible breaches of the conditions of access;
 - g. allowing the ABS officers, auditors or their nominated representatives access to all necessary documents and information, for the purposes of conducting a compliance audit concerning the observance of the terms and conditions under which information is disclosed; and
 - h. complying with the CURF access renewal process and any request by the ABS, or its agents, to review arrangements concerning storage and use of CURFs.
2. The Organisation will only access CURFs which the ABS has given the Organisation approval to access.
3. The Organisation will, and will take steps to ensure that individuals within the Organisation will, in relation to all CURFs that the ABS has given the Organisation approval to access:
 - a. use the CURFs only for the statistical purposes approved by the ABS;
 - b. not attempt to identify particular persons or organisations to which a CURF relates, which without limitation includes:
 - i. not attempting to match, with or without using identifiers, a CURF with any other list of persons or organisations; and
 - ii. not attempting to avoid the controls put in place around the means of access (such as those used in the Remote Access Data Laboratory (RADL)), which are designed to prevent any deliberate or inadvertent misuse of CURFs.
 - c. not disclose, either directly or indirectly, any CURF to any person in the Organisation who has not been approved by the ABS to access that CURF, which without limitation includes:
 - i. not allowing people (other than those approved by the ABS) to access CURFs in any form;
 - ii. not sharing RADL accesses and passwords - including among people in the Organisation that are approved to access CURFs; and
 - iii. ensuring that all CURFs in any form (including CD-ROMs, DVDs, files or printouts with unit records) are stored securely, to prevent anyone without approval accessing them.
 - d. not disclose, either directly or indirectly, any CURF to any person outside the Organisation; and
 - e. if the ABS withdraws the Organisation's access to CURFs or if access to the CURFs are no longer required by the Organisation:
 - i. not attempt to access any CURFs; and
 - ii. return, destroy or otherwise deal with all copies of CURFs or extracts from CURFs as directed by the ABS, subject to any requirement of law binding on the Organisation.

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UNDERTAKING MADE PURSUANT TO CLAUSE 7 OF THE *STATISTICS DETERMINATION 1983 (CTH)*

4. The Organisation will allow the ABS or its agents to access to all necessary documents and information, for the purposes of conducting an audit regarding compliance with the terms and conditions under which ABS provided access to CURFs.
5. In signing this Undertaking, I understand and acknowledge that:
 - a. a breach of the terms of this Undertaking may result in the ABS immediately withdrawing the Organisation's access to CURFs; and
 - b. failure to comply with the terms and conditions of this Undertaking may be an offence under subsection 19(3) of the *Census and Statistics Act 1905*, the penalty for which is 120 penalty units (\$20,400) or imprisonment for 2 years, or both.

**Your
Signature**

Full Name
(Please Print)

Date

Day:

Month:

Year:

In the presence of:

**Witness
Signature**

**Witness
Full Name**
(Please Print)

Date

Day:

Month:

Year:

ABS USE ONLY:

Date Received:

UNDERTAKING BY A RESPONSIBLE OFFICER OF AN ORGANISATION

PRIMARY CONTACT OFFICER DETAILS

Organisation Name	
Title: Mr, Mrs, Ms	
Family Name	
Given Name(s)	
Position/Title	
Division/ Faculty	
Telephone Number	()
Business Address	
Postal Address	
Email Address	

UNDERTAKING BY A RESPONSIBLE OFFICER OF AN ORGANISATION

SECONDARY CONTACT OFFICER DETAILS

Organisation Name	
Title: Mr, Mrs, Ms	
Family Name	
Given Name(s)	
Position/Title	
Division/ Faculty	
Telephone Number	()
Business Address	
Postal Address	
Email Address	